

AMENDED IN SENATE JUNE 21, 2007

AMENDED IN ASSEMBLY APRIL 18, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1056

Introduced by Assembly Members Leno and Huffman

February 23, 2007

An act to amend Sections 35515, 35615, and 35625 of the Public Resources Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1056, as amended, Leno. California Ocean Protection Act.

The California Ocean Protection Act establishes the Ocean Protection Council in state government, consisting of the Secretary of the Resources Agency, the Secretary for Environmental Protection, and the Chair of the State Lands Commission. The executive officer of the State Coastal Conservancy acts as secretary to the council.

Under existing law, the council coordinates activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to, among other things, establish policies to coordinate the collection and sharing of scientific data between agencies related to coastal and ocean resources.

This bill would require the council, ~~in consultation with the California Ocean Science Trust,~~ to establish a science advisory team of distinguished scientists to assist it in meeting the purposes of the act ~~by, among other things, reviewing and evaluating results of research or investigations requested by the council.~~ *At the request of the council, the science advisory team may convene to, among other things, review*

and evaluate results of research or investigations to inform the council's activities. The bill would require that the science advisory team include scientists from a range of disciplines in the council's purview and would require that the science advisory team provide an independent and timely analysis of reports and studies in a specified manner. The bill would also require the council to contract with the California Ocean Science Trust to conduct research or investigations as needed by the council. The bill would revise legislative findings regarding the council.

Under existing law, the Legislature may appropriate funds directly to the State Coastal Conservancy for expenditures authorized by the council.

This bill would provide that if an expenditure has been approved by the council, approval of the State Coastal Conservancy is not required, except in the case of block grants provided by the council to be administered by the State Coastal Conservancy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 35515 of the Public Resources Code is
- 2 amended to read:
- 3 35515. The Legislature finds and declares that the purpose of
- 4 this division is to integrate and coordinate the state's laws and
- 5 institutions responsible for protecting and conserving ocean
- 6 resources, including coastal waters and ocean ecosystems, to
- 7 accomplish all of the following objectives:
- 8 (a) Provide a set of guiding principles for all state agencies to
- 9 follow, consistent with existing law, in protecting the state's coastal
- 10 and ocean resources.
- 11 (b) Encourage cooperative management with federal agencies,
- 12 to protect and conserve representative coastal and ocean habitats
- 13 and the ecological processes that support those habitats.
- 14 (c) Improve coordination and management of state efforts to
- 15 protect and conserve the ocean by establishing a cabinet level
- 16 oversight body responsible for identifying more efficient methods
- 17 of protecting the ocean at less cost to taxpayers.
- 18 (d) Use California's private and charitable resources more
- 19 effectively in developing ocean protection and conservation
- 20 strategies.

1 (e) Provide for public access to the ocean and ocean resources,
2 including to marine protected areas, for recreational use, and
3 aesthetic, educational, and scientific purposes, consistent with the
4 sustainable long-term conservation of those resources.

5 (f) Identify scientific research and planning that is useful for
6 the protection and conservation of coastal waters and ocean
7 ecosystems, and coordinate and assist state agencies in addressing
8 those needs.

9 (g) Provide guidance to state and local agencies on water quality
10 issues and priorities necessary to protect coastal waters and ocean
11 ecosystems.

12 SEC. 2. Section 35615 of the Public Resources Code is
13 amended to read:

14 35615. The council shall do all of the following:

15 (a) (1) Coordinate activities of state agencies, that are related
16 to the protection and conservation of coastal waters and ocean
17 ecosystems, to improve the effectiveness of state efforts to protect
18 ocean resources within existing fiscal limitations, consistent with
19 Sections 35510 and 35515.

20 (2) Establish policies to coordinate the collection, evaluation,
21 and sharing of scientific data related to coastal and ocean resources
22 among agencies.

23 ~~(3) In consultation with the California Ocean Science Trust,~~
24 ~~establish a science advisory team of distinguished scientists to~~
25 ~~assist the council in meeting the purposes of this division. The~~
26 ~~science advisory team may identify, develop, and prioritize subjects~~
27 ~~and questions for research or investigation, and may review and~~
28 ~~evaluate results of research or investigations requested by the~~
29 ~~council. Scientists selected as members of the science advisory~~
30 ~~team shall serve without compensation beyond reimbursement of~~
31 ~~expenses and any existing contract with the state.~~

32 *(3) (A) Establish a science advisory team of distinguished*
33 *scientists to assist the council in meeting the purposes of this*
34 *division. At the request of the council, the science advisory team*
35 *may convene to identify, develop, and prioritize subjects and*
36 *questions for research or investigation, and review and evaluate*
37 *results of research or investigations to inform the council's*
38 *activities.*

39 *(B) The science advisory team shall include scientists from a*
40 *range of disciplines that are a part of the council's purview.*

1 (C) *The science advisory team shall provide an independent*
2 *and timely analysis of reports and studies, identifying areas of*
3 *scientific consensus or uncertainty, using the best available*
4 *science by drawing on state, national, and international experts.*

5 (D) *Scientists selected as members of the science advisory team*
6 *shall serve without compensation, except for reimbursement of*
7 *expenses and subject to the terms of an existing contract with the*
8 *state.*

9 (4) Contract with the California Ocean Science Trust to conduct
10 research or investigations as needed by the council.

11 (5) Transmit the results of research and investigations to state
12 agencies to provide information for policy decisions.

13 (6) Identify and recommend to the Legislature changes in law
14 needed to achieve the goals of this section.

15 (b) (1) Identify changes in federal law and policy necessary to
16 achieve the goals of this division and to improve protection,
17 conservation, and restoration of ocean ecosystems in federal and
18 state waters off the state's coast.

19 (2) Recommend to the Governor and the Legislature actions the
20 state should take to encourage those changes in federal law and
21 policy.

22 SEC. 3. Section 35625 of the Public Resources Code is
23 amended to read:

24 35625. (a) Under the direction of the Secretary of the
25 Resources Agency, the executive officer of the State Coastal
26 Conservancy shall act as secretary to the council, administer its
27 affairs, and provide the staff services that the council needs to
28 carry out this division, including, but not limited to, both of the
29 following:

30 (1) Administering grants and expenditures authorized by the
31 council from the fund or other sources, including, but not limited
32 to, block grants from other state boards, commissions, or
33 departments.

34 (2) Arranging meetings, agendas, and other administrative
35 functions in support of the council.

36 (b) The Legislature may make appropriations to be used for the
37 purposes of this division directly to the State Coastal Conservancy,
38 for expenditures authorized by the council. If an expenditure has
39 been approved by the council for the purposes of this division,
40 approval of the State Coastal Conservancy is not required, except

1 in the case of block grants provided by the council to be
2 administered by the State Coastal Conservancy.

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